

Central Intelligence Agency



Washington, D.C. 20505

OCA FILE Legislation  
RECPT # Chrono

23 APR 1986  
OCA 86-1398

Mr. James M. Frey  
Assistant Director for Legislative  
Reference  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Frey:

This is in response to your request for the views of the Central Intelligence Agency regarding a Department of Defense (DOD) report on H.R. 3188, the "National Security Reform Act of 1985." With one exception stated below, the Agency has no objection to the DOD report on H.R. 3188.

The portion of the DOD report regarding the polygraph is of concern to the Agency. The report states that the section of the bill requiring the DOD to conduct random counterintelligence scope polygraph examinations is unnecessary. The report then proposes an alternative to that section which would provide that the Secretary of Defense shall issue regulations to provide for the polygraph of certain employees and contractors of the DOD. An exception is provided for individuals assigned to, or detailed to, the Central Intelligence Agency (CIA) or any expert or consultant under contract to the CIA. We believe the CIA exception is not broad enough because it does not cover any employee of a contractor of the CIA. We believe that the exception should be broadened so that it is equivalent to the exception provided to the National Security Agency (NSA), which does cover employees of contractors. This can be accomplished by simply having one exception that covers both the Agency and NSA. Such an expanded exception would be consistent with the exception provided the Agency in H.R. 1524, as passed by the House, which bans private use of polygraphs.

Thus, the exception contained in that bill should be used as a model for drafting an exception for NSA and CIA.

STAT We appreciate the opportunity to comment on the DOD report. If you have any further questions, please contact  of my staff at

Sincerely,

/s/ David D. Gries

David D. Gries  
Director of Congressional Affairs

Distribution:

Original - Addressee

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1 - OCA Chrono (REF: OCA 86-1218)

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OCA/LEGISLATION: pap (28 April 1986)

ACTION  
OCA 86-1218

# OFFICE OF CONGRESSIONAL AFFAIRS

## Routing Slip

	ACTION	INFO
1. D/OCA		X
2. DD/Legislation	X	
3. DD/Senate Affairs		
4. Ch/Senate Affairs		
5. DD/House Affairs		
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		X
9. FOIA Officer		
10. Constituent Inquiries Officer		
11.		
12.		

SUSPENSE

25 Apr 86  
Date

Action Officer:

Remarks: *Action completed per LTR DTD. 29 APR 86 to OMB.*

GJ / 14 Apr 86

Name/Date



**EXECUTIVE OFFICE OF THE PRESIDENT**  
**OFFICE OF MANAGEMENT AND BUDGET**  
WASHINGTON, D.C. 20503

April 11, 1986

**LEGISLATIVE REFERRAL MEMORANDUM**

**SPECIAL**

**CONGRESSIONAL AFFAIRS**

86-1218

**TO:**

**Legislative Liaison Officer-**

Office of Personnel Management - Woodruff 632-4682 (22)  
National Security Council  
Department of Justice - Perkins 633-2113 (17)  
✓ Central Intelligence Agency  
Department of State - Berkenbile 647-4463 (25)

**SUBJECT:**

Department of Defense report on HR-3188,  
"National Security Reform Act of 1985"

(Draft of section 4 included)

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than  
FRIDAY, APRIL 25, 1986

Questions should be referred to Sue Thau (395-7300),  
the legislative analyst in this office.

*Ronald K. Peterson*  
RONALD K. PETERSON FOR  
Assistant Director for  
Legislative Reference

Enclosures  
cc:

John Cooney  
Russ Neely  
Tom Stanners

**SPECIAL**